

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MEMORANDUM

JS 6

Case No. EDCV 15-794 DSF (FFMx)

Date 4/24/15

Title Richard Garcia v. Cardinal Health 200, LLC, et al.

Present: The
Honorable

DALE S. FISCHER, United States District Judge

Debra Plato

Not Present

Deputy Clerk

Court Reporter

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) Order REMANDING Case to State Court

This case was removed based on diversity jurisdiction. The removing defendant has failed to allege diversity jurisdiction adequately for at least two reasons. First, the citizenship of Cardinal Health 200 LLC is not properly alleged. The citizenship of an LLC is not established in the same way as a corporation. See Johnson v. Columbia Props. Anchorage, LP, 437 F.3d 894, 899 (9th Cir. 2006) (limited liability company is a citizen of the states of which each of its members is a citizen). The members of the LLC are not even alluded to in the notice of removal. A review of all of the filed documents suggests that Cardinal Health 200 LLC's only member is Cardinal Health, Inc., but Cardinal Health, Inc.'s citizenship is never directly alleged or established. (See Myers Decl. ¶¶ 2-3.) More significantly, the citizenship of Defendant Katie Sappie is simply ignored altogether, and it appears from the complaint that Sappie is a citizen of California and non-diverse from the Plaintiff. (See Compl. ¶ 3.)

The case is REMANDED to the Superior Court of California, County of San Bernardino.

IT IS SO ORDERED.